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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/23/2006

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KIYO-48

3411

7590 09/22/2009
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EXAMINER

VO, TUYEN KIM

ART UNIT

PAPER NUMBER

2887

MAIL DATE

DELIVERY MODE

09/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/593,932	SASAZAKI, TATSUO	
	Examiner	Art Unit	
	Tuyen Kim Vo	2887	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/29/2007, 10/22/2007, 12/28/2007 & 03/14/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: The indication of figure 3a as mentioned in paragraph [0036] is not shown in the drawing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21, 23-25 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Winter et al. (US 2005/0021172).

Re claims 21, 23 and 24, Winter teaches a cut sheet (fig. 1) having an IC-tag tape along its entire length, the cut sheet being formed by the steps of: preparing a tape reel (figs. 1 and 6) of an IC-tag tape to which IC tags (24, fig. 1) are attached with such an IC tag pitch (32, fig. 2B) that each cut sheet includes at least one IC tag (figs. 2A-2C), unwinding the IC-tag tape from the tape reel that is held by a reel stand and providing the IC-tag in the machine direction to attach the IC-tag tape to a successive sheet material (fig. 8), and cutting the successive sheet material into the cut sheets with a predetermined length in the machine direction (figs. 2A-2C), wherein the cut sheet

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includes an upper sheet material (such as layers 16 or 18, fig. 1) that forms a first side of the cut sheet and a lower sheet material (such as layer 14, fig. 1) that forms a second side of the cut sheet opposite to the first side, wherein the IC-tag tape is successively attached to the first side or to the second side of the cut sheet (fig. 1), wherein the IC-tag tape is configured to be used as a cut tape for the cut sheet (figs. 2A-2C). See [0010]-[0016], [0038]-[0053] and [0063]-[0080].

Re claim 25, Winter further teaches wherein the plurality of layers consists of wet web, wherein the IC-tag tape is attaches to the cut sheet by inserting the IC-tag tape between the layers of wet web to be made into the successive sheet material before drying the wet web. See [0005] and [0043].

Re claim 27, Winter further teaches wherein the IC-tag tape is attaches between the plurality of layers using starch paste or vinyl acetate emulsion. See [0043] and [0045].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22, 26 and 28-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winter.

Re claim 22, Winter teaches all subject matter claimed as applied above except for the cut sheet is made of corrugated board.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Winter to provide the sheet that is made of corrugated board since it is just a matter of using different sheet of different material for the IC-tag to be taped on.

Re claim 26, Winter teaches all subject matter claimed as applied above (see claims 22 and 24). Winter further teaches the IC tag tape is attached to the cut sheet by putting the IC tag tape on hot-melted part of the plastic. See [0005] and [0043].

Re claim 28, Winter teaches all subject matter claimed as applied above. Winter further teaches wherein the cut sheet is desirably shaped during a die-cutting process cutting after the successive sheet material into the cut sheets. See figs. 2A-2B, [0008], [0048], [0050] and [0070].

Re claim 29, Winter teaches all subject matter claimed as applied above. Winter further teaches wherein the successive sheet material passed below an encoder [0071] before the successive sheet material is cut into the cut sheets, wherein the encoder send signal to a production control device (66, fig. 8), the signals indicating the length of the successive sheet material that has passed below the encoder, wherein a detecting means ([0071]) sends location signals to the production control device, the signal indicating the location of the IC tag that is attached to the successive sheet material, wherein the production control device calculates whether the IC tags are position in an area to be trimmed during the die-cutting process using the signals from the encoder and from the detecting means. See fig. 8 and [0063]-[0076].

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Re claim 30, Winter teaches all subject matter claimed as applied above. Winter further teaches wherein the successive sheet material passed below an encoder [0071] before the successive sheet material is cut into the cut sheets, wherein the encoder sends signals to a production device (66, fig. 8), the signals indicating the length of the successive sheet material that has passed below the encoder, wherein an interrogator ([0069]) with a radio antenna sends location signals to the production control device, the signals indicating the location of the IC tag that is attached to the successive sheet material, wherein the cut sheet is desirably shaped during a die-cutting process after cutting the successive sheet material into the cut sheets ([0008], [0048], [0050] and [0070]), and wherein the production control device calculates whether the IC tag are positioned in an area to be trimmed during the die-cutting process using the signals from the encoder and from the interrogator with a radio antenna. See fig. 8 and [0063]-[0076].

Re claim 31, Winter teaches all subject matter claimed as applied above. Winter further teaches wherein the IC-tag tape is formed by printing an electronic circuit on plastic substrate, wherein the electronic circuit is covered with protecting coat. See [0006]-[0008], [0012], [0043], [0045] and [0066]-[0067].

Re claims 32-33, Winter teaches all subject matter claimed as applied above. Winter fails to teach the dimensions of the IC-tag pitch or the IC-tag tape as recited.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Winter to select the dimensions as

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recited since it is just a matter of selecting the length or dimension or size of the IC tag pitch or IC tag tape to be fitted to the desired size of the sheet material.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyen Kim Vo whose telephone number is (571)270-1657. The examiner can normally be reached on Monday - Friday, 7:30a.m. - 5:00p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven S. Paik can be reached on (571) 272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. K. V./
Examiner, Art Unit 2887

/Thien M. Le/
Primary Examiner, Art Unit 2887
